

THE CITY COUNCIL OF THE CITY OF LAKEWAY, TRAVIS COUNTY, TEXAS
Regular Session on Monday, November 18, 2019 at 6:30 p.m.

MINUTES

Lakeway City Hall, 1102 Lohmans Crossing Road, Lakeway, Texas

AGENDA

1. **Establish Quorum and Call to Order** – Present: Mayor Cox, Councilmember Howell (joined at 6:33 p.m.), Councilmember Kumar, Councilmember Mastrangelo, Councilmember Smith and Councilmember Vance. Absent: Mayor Pro Tem Higginbotham.
2. **Pledge of Allegiance.**
3. **Citizen participation for the consent agenda and items 10, 11 and 12** – No one spoke.

CONSENT AGENDA: All items may be approved by one Council vote. Members of the Council may pull items from the Consent Agenda for discussion.

4. **Approve Minutes:** Regular Council Meeting of October 21, 2019.
5. **Approve Minutes:** Special Council Meeting of November 12, 2019.
6. **Approve Ordinance No. 2019-11-18-01** – An Ordinance of the City of Lakeway amending the FY 2019 Budget.
7. **Approve Contract: Hurst Creek Road Draining and Paving Improvements Project.** Award contract to the successful bidder and authorize the City Manager to execute a contract.
8. **Receive** report from Public Engagement Advisory Committee.
9. **Receive** Treasurer's monthly report.

Councilmember Kumar pulled item 4. Councilmember Kumar moved to approve the consent agenda. Councilmember Vance seconded and the motion passed unanimously.

Item 4 – The motion approving the consent agenda in the minutes approved for October 21, 2019 reflect item “16” and should be item “20”. Councilmember Kumar moved to approve item 4 with the correction of “item 16” being changed to “item 20”. Councilmember Vance seconded and the motion carried unanimously.

END CONSENT AGENDA

10. Financial Report.

11. Report on status of previous business – No previous business. No action taken.

12. HEB Community Partner Award.

13. Special Use Permit: 111 Javelin. Consider a request from Nicholas Nierop, the owner of the property located at 111 Javelin Drive (Lakeway Section 20, Lot 2218) for a Special Use Permit to allow for a short-term rental use at this location.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Howell moved to approve the special use permit for 111 Javelin. Councilmember Kumar seconded and the motion passed unanimously.

Mayor Cox called for Executive Session for items 14, 15, 22, and 23. Convened to Executive Session at 6:53 p.m. Reconvened to Regular Session at 8:03 p.m. No action was taken in Executive Session.

14. Future Land Use Map Change: 1931 Lohmans Crossing Road. Consider a request from Carlson, Brigance and Doering, the agent for the owner of approximately 45 acres of land located at 1931 Lohmans Crossing Road, to amend the Future Land Use Map from Mixed-Use to Residential.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Kumar moved to approve the request to change the Future Land Use Map for 1931 Lohmans Crossing from Mixed-Use to Residential. Councilmember Smith seconded and the motion carried unanimously.

15. Zoning Change: 1931 Lohmans Crossing Road. Consider a request from Carlson, Brigance & Doering, Inc., the agent for the owner of approximately 45 acres of land located at 1931 Lohmans Crossing Road, for approval of a change in zoning from GUI (Government, Utility and Institutional) to R-1* (Single Family Residential) and R-3 (Single Family Residential-Zero Lot Line-Modified) zoning.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – The following persons spoke: Daniel Foreman, Gayle Berkbigger, Marsha Kish, John Hoopingarner, Nina Davis, Keith Trecker and Tom Kilgore.
- Council discussion/action – Councilmember Mastrangelo moved to approve the zoning request for R-1 for the entirety of the tract. Councilmember Vance seconded. Motion failed, 2-4: Ayes: Councilmember Vance and Councilmember Mastrangelo. Nays: Mayor Cox, Councilmember Howell, Councilmember Kumar and Councilmember Smith. Councilmember Smith moved to approve the zoning request as presented for ten acres of R-1* and 35 acres of R-3. Councilmember Howell seconded and the motion passed 4-2 with Councilmember Mastrangelo and Councilmember Vance opposed.

16. Future Land Use Map Change: 15617 Flintrock Road. Consider a request from Cherry Knoll LLC, to amend the Future Land Use Map for approximately 1 acre of land located at 15617 Flint Rock Road, from Commercial to Residential.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – Councilmember Kumar moved to approve the future land use map change for 15617 Flintrock Road. Councilmember Howell seconded and the motion passed unanimously.

17. Zoning Change: 15617 Flintrock Road. Consider a request from Cherry Knoll LLC, the owner of approximately 22.9 acres of land located at 15617 Flintrock Road, for approval of a change in zoning from R-1 (Single Family Residential) and C-1 (Office/Retail) to R-8 (Multi-Family Residential) and GB (Green Belt).

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – The following persons spoke: Charles Hughes, Mike Hahn, Ed Nelson, Grant John and David McKinzie.
- Council discussion/action – Councilmember Kumar moved to approve the recommendation from the Zoning and Planning Commission to deny the zoning request change. Councilmember Mastrangelo seconded and the motion passed unanimously.

Mayor Cox called for a ten minute recess at 10:14 a.m.

18. Annexation: Crosswind Drive. Consider a request from Carlson, Brigance & Doering, Inc. on behalf of RH Lakeway Development LTD., owner of approximately 0.585 acres of land located east of Crosswind Drive and west of Tomichi Trail for annexation of the subject property.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – Jerri Brown spoke.
- Council discussion/action – Councilmember Kumar moved to approve the request to annex the .585 acres to be utilized as a future propane tank site. Councilmember Smith seconded and the motion passed unanimously.

19. Zoning: Crosswind Drive. Consider a request from Carlson, Brigance & Doering, Inc. on behalf of RH Lakeway Development LTD., owner of approximately 0.585 acres of land located east of Crosswind Drive and west of Tomichi Trail for GUI (Governmental, Utility, Institutional) zoning of the subject property.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – Janell Marcy spoke.
- Council discussion/action – Councilmember Kumar moved to approve the zoning request. Councilmember Howell seconded and the motion passed unanimously.

20. Third Reading: Revisions to Chapter 28 of the Lakeway Code of Ordinances, Subdivisions and Site Development.

- Staff report by Building & Development Services Director Charlotte Hodges.
- Citizen participation – No one spoke.
- Council discussion/action – No action taken.

21. Citizens Participation for items not on this Agenda – The following persons spoke: Alexa Walker, Tom Kilgore, Jerri Brown and Lisa Dawson.

Mayor Cox called for Executive Session for items 24, 25 and 26. Convened to Executive Session at 11:17 p.m. Reconvened to Regular Session at 12:00 a.m. No action was taken in Executive Session.

Councilmember Vance motioned to offer Julie Oakley the position of city manager and authorize Mayor Cox to negotiate and execute an employment agreement inside the perimeters set in Executive Session. Councilmember Howell seconded and the motion passed unanimously. Mayor Cox called for citizen participation and no one spoke.

22. Executive Session. Enter into executive session to deliberate regarding the purchase, exchange, lease, or value of real property, as authorized by Texas Government Code Section 551.072, and to obtain legal advice from Counsel, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney). No action will be taken in Executive Session; action, if any, will be taken in open session.

- a. Legal and Real Estate Issues Relating to the Oaks PUD/Stratus Properties

23. Executive Session. Enter into executive session to deliberate regarding the purchase, exchange, lease, or value of real property, as authorized by Texas Government Code Section 551.072. No action will be taken in Executive Session; action, if any, will be taken in open session.

- a. Potential Municipal Building
- b. Potential Parkland Site(s)

24. Executive Session. Enter into executive session to deliberate regarding threatened litigation, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney). No action will be taken in Executive Session; action, if any, will be taken in open session.

- a. Drainage Issues on Electra Street

25. Executive Session. Enter into executive session to deliberate regarding pending litigation, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney). No action will be taken in Executive Session; action, if any, will be taken in open session.


- a. *Cherry Knoll L.L.C. v. City of Lakeway, et al.*, Cause No. 1:16-CV-00982, in the U.S District Court for the Western District of Texas, Austin Division

b. *City of Lakeway v. Cherry Knoll L.L.C.*, Cause No. 03-18-00837 in the Court of Appeals, Third District of Texas, Austin, Texas

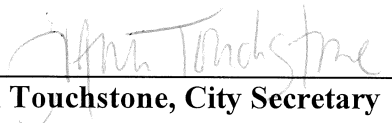
26. Executive Session. Enter into executive session to deliberate the appointment, employment, and duties of the City Manager Position, as authorized by Texas Government Code Section 551.074 (Personnel Matters). No action will be taken in executive session; action, if any, will be taken in open session.

27. Adjourn – Meeting adjourned at 12:01 a.m.

Signed this 17 day of Dec, 2019.



Sandra L. Cox, Mayor



Jo Ann Touchstone, City Secretary

